IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2406 of 2005.

DHANUKARWADI MILAN CO-OP
HSG.SOCIETY LTD. ... PETITIONERS.

VS.

MUNICIPAL CORPORATION OF
GREATER BOMBAY & ORS. ... RESPONDENTS.

MRS. SUMEDHA RAO FOR THE PETITIONERS.

MS. A.R.JOSHI FOR B.M.C.

MRS. R.C.NICHANI FOR RESPONDENT NO.3.

Coram : S.K.Shah, J.

Date : October 13, 2005.

P.C.:

1. The matter was argued at length on behalf of all the parties. When it is made clear that the Writ Petition is not maintainable and is about to be dismissed, the learned Counsel for the Petitioners, on taking instructions from the Petitioners, seeks liberty to withdraw the petition. The learned Counsel for the Respondents have no objection for withdrawal, however, they press for costs.

2. The Writ Petition is allowed to be withdrawn and dismissed as withdrawn with costs.

3. The costs are quantified at Rs. 2000/- each to be paid to Respondent No. 1 and 2 and Rs. 5000/- to be paid to Respondent No.3.

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[S.K.Shah , J.]